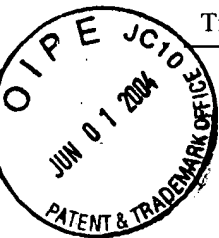


IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Applicant: METZGER ET AL. Examiner: UNKNOWN
Serial No.: 10/825,483 Group Art Unit: UNKNOWN
Filed: APRIL 14, 2004 Docket: 13033.5USC1
Confirmation No.: UNKNOWN
Due Date: JULY 14, 2004
Title: STIFFENING PHARYNGEAL WALL TREATMENT



CERTIFICATE UNDER 37 CFR 1.8:

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on May 27, 2004.

By: 
Name: Tracy Stevenson

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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PATENT TRADEMARK OFFICE

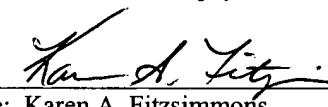
Sir:

We are transmitting herewith the attached:

- ☒ Transmittal Sheet in duplicate containing Certificate of Mailing
- ☒ Information Disclosure Statement
- ☒ Return postcard

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers or any future reply, if appropriate. Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. A duplicate of this sheet is enclosed.

MERCHANT & GOULD P.C.
P.O. Box 2903, Minneapolis, MN 55402-0903
612.332.5300

By: 
Name: Karen A. Fitzsimmons
Reg. No.: 50,470
KFitzsimmons:PLStov



S/N 10/825,483

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	METZGER ET AL.	Examiner:	UNKNOWN
Serial No.:	10/825,483	Group Art Unit:	UNKNOWN
Filed:	APRIL 14, 2004	Docket No.:	13033.5USC1
Title:	STIFFENING PHARYNGEAL WALL TREATMENT		

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By: _____
Name: _____

[Signature]
Tracy W. J. - Vietnam

INFORMATION DISCLOSURE STATEMENT (37 C.F.R. § 1.97(b))

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner.

This statement should be considered because it is submitted within three months of the filing date of the above-identified application, which is not an application under 37 C.F.R. § 1.53(d). Accordingly, no fee is due for consideration of the items listed on the enclosed Form 1449.

In accordance with 37 C.F.R. § 1.98(d), a copy of each document or other information listed on the enclosed Form 1449 is not provided because it was previously cited by or submitted to the U.S. Patent and Trademark Office in parent application, U.S. Serial No. 10/237,149 filed on September 6, 2002.

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicant(s) do not represent that a reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

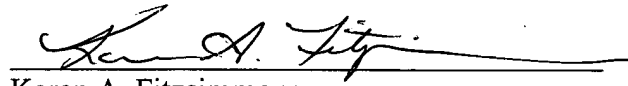
Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

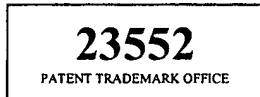
Please charge any additional fees or credit any overpayment to Deposit Account No. 13-2725.

Respectfully submitted,

MERCHANT & GOULD P.C.
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Minneapolis, Minnesota 55402-0903
(612) 332-5300

Date: May 26, 2004


Karen A. Fitzsimmons
Reg. No. 50,470
KAF:PLStov



FORM 1449* INFORMATION DISCLOSURE STATEMENT IN AN APPLICATION (Use several sheets if necessary)	Docket Number: 13033.5USC1	Application Number: 10/825,483
	Applicant: METZGER ET AL.	
	Filing Date: 04/14/2004	Group Art Unit: UNKNOWN

U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	3,998,209	12/21/1976	Macvaugh			
	4,803,075	02/07/1989	Wallace et al.			
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EXAMINER	DATE CONSIDERED
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant.	

FORM 1449* INFORMATION DISCLOSURE STATEMENT IN AN APPLICATION (Use several sheets if necessary)	Docket Number: 13033.5USC1	Application Number: 10/825,483
	Applicant: METZGER ET AL.	
	Filing Date: 04/14/2004	Group Art Unit: UNKNOWN

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						YES	NO
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	1 039 859 B1	12/03/2003	EP			X	
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EXAMINER	DATE CONSIDERED	 23552 PATENT TRADEMARK OFFICE
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation and not considered. Include copy of this form for next communication to the Applicant.		